

Appl. No.: 10/693,823

Applicant : Yaron Mayer et. al.

Reply to Office action of Dec. 15, 2006

## REMARKS/ARGUMENTS

1. Regarding clause 1 of your examination report, as far as I understand the foreign priority documents can be filed without surcharge until before the issue fee is paid. I will file them on time.
2. Regarding clauses 2-3 of your examination report, I have amended page 8 of the specification as requested. I have also corrected a missing period on that page. I have not found other errors in the specification.
3. Regarding clause 4 of your examination report, I have amended the claims accordingly.
4. Regarding clause 5 of your examination report, I have amended the claims accordingly.
5. Regarding clause 7 of your examination report, US6590661 patent which you quoted focuses on detection based on taking into account the exhaled CO<sub>2</sub> gas during speaking, which is a limited design because: a. It means that the system as claimed in that patent can only be used to detect sounds produced by humans or animals standing near the microphone, b. It might confuse breathing with speech and thus for example at least the breathing might add noise to the sound detection. However, to be on the safe side I have temporarily removed the reference to optical detection from the relevant claims. However this is being removed without prejudice and we reserve the right to restore relevant improved claims. Since independent claims 1 and 9 should now be allowed, their dependent claims should also be allowed since they recite additional patentable matter over the independent claims.

6. Regarding clause 8 of your examination report, as far as I understand US patent 5122805 mentions acoustic signals only as part of a method for detecting temperature profiles in the atmosphere, so this works differently and is not designed to be used as a microphone for detecting existing sounds, and therefore it is not relevant to the system or method of the present patent application.
7. Regarding clause 9 of your examination report regarding US patent 6044160, I have amended claim 18 accordingly. Since claim 18 should now be allowed, dependent claims 19 and 21 should also be allowed since they recite additional patentable matter over independent claim 18.

Therefore, in view of the above, I respectfully request that a timely notice of allowance be issued in this case. However, I would appreciate it very much if you could contact me in advance (for example by phone to 972-2-5665072 or by email to [aron@vms.huji.ac.il](mailto:aron@vms.huji.ac.il)) before issuing the notice of allowance in order to give me a chance to make final adjustments in the claims.

Also, if there are further issues that need clarification I would appreciate it very much if you contact me before issuing a further office action.

Respectfully submitted,  
Yaron Mayer